

CLYDE MCCOY II, LEILA
MCCOY, and COREY ROBINSON,

Plaintiffs,

v.

COLORADO SPRINGS HOUSING
AUTHORITY, NADINE GARCIA,
LISA PACHECCO, and U.S.
DEPARTMENT OF HOUSING &
URBDEVELOPMENT,

Defendants.

MEMORANDUM AND ORDER

Accordingly, I shall order Plaintiff Clyde McCoy II to file a ***signed*** Application to Proceed in District Court Without Prepaying Fees or Costs (or Motion for Leave to Proceed In Forma Pauperis) if he wishes to continue pursuing this case in forma pauperis, in the absence of which this case will be dismissed without further notice.

Plaintiff may, in the alternative, pay the court's \$400.00 filing and administrative fees.¹

IT IS THEREFORE ORDERED that:

1. By November 30, 2018, Plaintiff Clyde McCoy II must either file a ***signed*** Application to Proceed in District Court Without Prepaying Fees or Costs (or Motion for Leave to Proceed In Forma Pauperis) or pay the court's \$400.00 filing and administrative fees. Failure to take either action will result in dismissal of this matter without further notice to Plaintiff.

2. The Clerk of Court is directed to send Plaintiff Clyde McCoy II the Form AO 240, "Application to Proceed Without Prepayment of Fees and Affidavit."

3. The Clerk of Court shall remove Leila McCoy and Corey Robinson as Plaintiffs in this action.

¹While this case purports to be filed by three Plaintiffs, only Plaintiff Clyde McCoy II is being ordered to file a signed Application to Proceed in District Court Without Prepaying Fees or Costs (or Motion for Leave to Proceed In Forma Pauperis) because Clyde McCoy II may not represent the other purported Plaintiffs—Leila McCoy and Corey Robinson—in federal litigation, and he may not sign documents on their behalf. *Petties v. Stony Ridge Apartments*, No. 4:15CV3118, 2016 WL 697093, at *2 (D. Neb. Feb. 19, 2016) (it is improper for non-lawyer to sign papers in place of, or to otherwise represent, parties other than themselves) (citing 5A C. Wright & A. Miller, *Federal Practice and Procedure* § 1333, at 513 & n.15 (2004)). If Leila McCoy and Corey Robinson seek relief, they must file such a request themselves or through an attorney. I shall direct the Clerk of Court to remove Leila McCoy and Corey Robinson as Plaintiffs in this action.

4. The Clerk of Court is directed to set a pro se case management deadline with the following text: November 30, 2018—deadline for Plaintiff Clyde McCoy II to file new IFP application or pay filing fee.

DATED this 30th day of October, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge